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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------------|------------------|
| 10/532,215  | 04/22/2005  | Jorgen Hallundback   | 26716U                          | 8399             |
| 20529 7590 02/02/2007<br>NATH & ASSOCIATES<br>112 South West Street<br>Alexandria, VA 22314 |             |                      | EXAMINER<br>COLLINS, GIOVANNA M |                  |
|   |             |                      | ART UNIT<br>3672                | PAPER NUMBER     |
| SHORTENED STATUTORY PERIOD OF RESPONSE  |             | MAIL DATE            | DELIVERY MODE                   |                  |
| 3 MONTHS  |             | 02/02/2007           | PAPER                           |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

|                              |  |  |  |
|------------------------------|--|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/532,215   | <b>Applicant(s)</b><br>HALLUNDBAEK, JORGEN |  |
|                              | <b>Examiner</b><br>Giovanna M. Collins | <b>Art Unit</b><br>3672                    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 10 and 14 is/are rejected.
- 7) ☒ Claim(s) 3-9 and 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/5/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the phrase "said cable cutter" is improper for the abstract. Correction is required. See MPEP § 608.01(b).

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the mechanical unit as recited in claims 8-9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claims 1-10 are objected to because of the following informalities:

Claims 1-9 are objected because the claims do not recite any positive method steps using verbal nouns or gerunds. For example, the applicant should use gerunds such as arranging or controlling.

Claim 1 recites the limitation "the main part" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim as this limitation has not been previously recited.

Claim 1 further uses the phrase "e.g." renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Furthermore, all abbreviation should be spelled out.

Claim 2 recites the limitation "the temperature" in line 2. There is insufficient antecedent basis for this limitation in the claim as this limitation has not been previously recited.

Claim 4 recites the limitations "the operative crew" and "the preset parameter values" in line 3. There is insufficient antecedent basis for these limitations in the claim as these limitations have not been previously recited.

Claim 5 recites the limitation "the reset pulses" in line 2. There is insufficient antecedent basis for this limitation in the claim as this limitation has not been previously recited.

Claim 10 recites the limitations "the main part" in line 3, "the electronic timer" in line 4, "the currents" in line 6, and "the cutter control" in line 8. There is insufficient antecedent basis for these limitations in the claim as these limitations have not been previously recited.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinley 4572288 in view of Anderson 5369579.

Referring to claims 1-2, Kinley discloses (figs. 1-5) a method for releasing a cable (103) where a cable cutter (105) is between a main part of a cable and a well tool, the cutter is controlled by an electronic timer (40) and time used for controlling the cutter (col. 2, line 25-34). Kinley also discloses an explosive charge with an electric igniter is used to actuate the cutter (col. 2, lines 25-28). Kinley does not disclose using at least two other parameters to control the cutter. Anderson teaches using at least three parameters (pressure, col. 4, lines 1-8; temperature, col. 4, lines 9-16; motion, col. 5, lines 2-18; and time, col. 3, lines 60-68) to control the operation of an electrical igniter for an explosive charge. Anderson teaches using the parameters helps to ensure that the firing of the explosive charge occurs only in strictly controlled circumstances (col. 1, lines 65) and allows the timing sequence to be restarted if tool becomes stuck (col. 5, lines 2-15). As it would be advantageous to allow a timing sequence to be restarted if a tool because stuck and to ensure the firing blast of the explosive charge happens under strictly controlled conditions, it would be obvious to one of ordinary skill in the art at the time of the invention to modify the method disclosed by Kinley to have at least three parameters controlling the electric igniter and thus the cutter in view of the teachings of Anderson.

Referring to claims 10 and 14, Kinley discloses an apparatus for releasing cable comprising cable cutter (105) is arranged between a cable and a well tool the cutter being controlled by an electronic timer (40), where the timer has a receiver (29) and an outlet (E3 to igniter see fig. 4) for control of a cutter control (A, electric igniter see fig. 5) which is connected to the cutter (105). Kinley does not disclose auxiliary inlets.

Anderson teaches a cutter control that has auxiliary inlets in order to get formation information before, during and after blast of an explosive charge (col. 3, lines 48-52). As it would be advantageous to have formation information before, during and after blast of an explosive charge, it would be obvious to it would be obvious to one of ordinary skill in the art at the time of the invention to modify the method disclosed by Kinley to have auxiliary inlets in view of the teachings of Anderson.

***Allowable Subject Matter***

7. Claims 3-9 and 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Giovanna M. Collins whose telephone number is 571-272-7027. The examiner can normally be reached on 6:30-3 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gmc



**Giovanna M. Collins**  
**Patent Examiner**  
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